

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

WILLIAM JOHN BARBER,

Civil No. 10-3317 (JRT/SER)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

JEFF SCHMIDT, JULIE MILLER, J.
SOLMONSON, DAN CANSINO, ANN
PARIS, AND B.J. JETT,

Defendants,

William John Barber, #02365-0029, C/O Alice Barber, 954 South 24th Street,
Fort Dodge, IA 50501, pro se plaintiff.

Lonnie Bryan, **OFFICE OF THE UNITED STATES ATTORNEY**, 300
South Fourth Street, Suite 600, Minneapolis, MN 55415, for defendants.

The above matter comes before the Court upon the Report and Recommendation
of United States Magistrate Judge Steven E. Rau dated July 12, 2011 [Docket No. 44].
No objections have been filed to that Report and Recommendation in the time period
permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of
the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss or, Alternatively for Summary Judgment
[Docket No. 31] is **GRANTED**; and
2. Plaintiff William John Barber's Motion for Summary Judgment [Docket No.
36] is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: August 9, 2011
at Minneapolis, Minnesota

____ s/ John R. Tunheim ____
JOHN R. TUNHEIM
United States District Judge